

ONE HUNDRED SEVENTEENTH CONGRESS

# Congress of the United States

## House of Representatives

COMMITTEE ON THE JUDICIARY

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December 1, 2022

Ms. Jill Sanborn  
c/o Mr. Carter Burwell  
Debevoise & Plimpton  
801 Pennsylvania Avenue N.W.  
Washington, DC 20004

Dear Ms. Sanborn:

You were scheduled to appear for a transcribed interview on December 2, 2022. Your current attorney now advises that you are backing out of your commitment to speak with us voluntarily. Your actions give rise to concerns about your stated intentions to willingly cooperate. It has been 113 days since our initial request that you provide testimony in response to serious whistleblower allegations of wrongdoing within the Federal Bureau of Investigation. Although your current attorney has professed that you have “sought to cooperate” with our oversight,<sup>1</sup> your actions over the past four months show a pattern of obstruction and a failure to take accountability for your actions. Your decision leaves us little choice but to consider compulsory process to obtain your testimony early in the 118th Congress.

Following our initial August 10, 2022, request to you for a transcribed interview, your then-attorney spoke with Committee staff on August 23 to schedule the interview, indicating that he would check with you about specific dates and get back to Committee staff. He never did. Later that day and over the course of the next several weeks, Committee staff engaged with your next attorney on several occasions to set a firm date for your transcribed interview, in light of your attorney’s representation that you sought to “cooperate” with our request. Despite our repeated attempts to arrange a date for your appearance, your attorney declined to do so.

Finally, on October 14, two months after our initial request, your attorney belatedly offered a firm date for the transcribed interview to occur: December 2, 2022. We accepted the December 2 date for your appearance in a letter to you dated October 18. In our letter, we also detailed why the excuses and dilatory tactics of your attorney impeded our oversight efforts. Although your attorney responded on your behalf on October 19 to blame other parties for your noncompliance with our request, he never raised the possibility that the transcribed interview would not occur on December 2, the date he had offered.

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<sup>1</sup> Letter from Mr. Carter Burwell, Counsel, Debevoise & Plimpton LLP, to Ranking Members Jim Jordan & Mike Johnson, H. Comm. on the Judiciary (Nov. 29, 2022).

In the weeks leading up to your transcribed interview, we again sought to reach your attorney to confirm the plans and finalize the details of your appearance. On November 28—just four days prior to your scheduled testimony—your attorney notified us that you no longer plan to honor your commitment to appear for a transcribed interview.

Your decision to renege on your commitment appears to have occurred only after your counsel sought guidance from the Department of Justice and Committee Democrats. As we advised in our October 18 letter, we do not share your attorneys' view that the Department or FBI must approve your appearance for a voluntary transcribed interview. We reiterate that to the extent that the Department or FBI is or has been preventing your ability to respond to our request in a timely and comprehensive manner, we will examine these facts during your transcribed interview. Simply put, although the Department and FBI likely would not welcome your testimony, your decision to *voluntarily* appear for a transcribed interview is your decision and yours alone. You have chosen not to do so.

We understand that, as your attorney has asserted, you “vigorously” deny the allegations that you engaged in misconduct while at the FBI; however, your November 29 letter plainly shows why your testimony is necessary.<sup>2</sup> According to your letter, you hold a “well-known skepticism of focusing” on “the quantity of individual or ongoing investigations.”<sup>3</sup> But as our letters to you explain, whistleblower disclosures contradict your assertions.<sup>4</sup>

The allegations about politicization and bias within the FBI are too serious for your dilatory tactics. We intend to continue to pursue this request through the remaining days of the 117th Congress and into the 118th Congress. As such, we expect your appearance for a transcribed interview on February 1, 2023, at 10:00 a.m. We will compel your testimony if necessary.

Sincerely,



Jim Jordan  
Ranking Member

cc: The Honorable Jerrold L. Nadler, Chairman

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<sup>2</sup> *Id.*

<sup>3</sup> *Id.*

<sup>4</sup> See Letter from Ranking Members Jim Jordan & Mike Johnson, H. Comm. on the Judiciary, to Ms. Jill Sanborn, Senior Dir. Geopolitical Strategy & Risk Analysis, Roku Inc. (Aug. 10, 2022).